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COMMITTEE ON THE ELIMINATION OF RACIAL DISCRIMINATION

Fifty-sixth session

SUMMARY RECORD OF THE 1372nd MEETING

Held at the Palais des Nations, Geneva,
on Monday, 6 March 2000, at 10 a.m.

Temporary Chairman: Mr. GAHAM

Chairman: Mr. SHERIFIS

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The meeting was called to order at 10.10 a.m.

OPENING OF THE SESSION BY THE REPRESENTATIVE OF THE SECRETARY-GENERAL

1. The TEMPORARY CHAIRMAN (Acting Chief, Support Services Branch, Office of the High Commissioner for Human Rights and Representative of the Secretary-General) declared open the fifty-sixth session of the Committee on the Elimination of Racial Discrimination.

Statement by the Acting Chief, Support Services Branch, Office of the High Commissioner for Human Rights

2. The TEMPORARY CHAIRMAN, speaking also on behalf of the High Commissioner for Human Rights, reiterated the support of the Office for the Committee's activities, congratulated the newly elected Committee members at the eighteenth meeting of States parties to the Convention. He welcomed Ms. January-Bardill of South Africa, Mr. François Fall of Guinea, Mr. Raghavan Pillai of India and Mr. Marc Bossuyt of Belgium and paid tribute to Ms. Sadiq Ali, Mr. van Boven, Mr. Ferrero Costa and Mr. Garvalov, whose terms of membership had ended, and Mr. Wolfrum, who had submitted his resignation in September 1999.

3. As was customary, he would brief the members about new developments which had taken place since the Committee's previous session which might be of relevance to its work. The number of States parties which had ratified or acceded to the Convention had remained constant at 155, but the former Yugoslav Republic of Macedonia had recently made the declaration under article 14, bringing to 29 the total number of States parties which had made the declaration. Colombia had become the twenty-fifth State party to ratify the amendment to article 8.

4. The preparations for the World Conference against Racism, Racial Discrimination, Xenophobia and Related Intolerance, to be held in South Africa in 2001, had become a matter of high priority for the High Commissioner for the next 18 months, one of the main activities being the preparation of the first session of the Preparatory Committee, to be held from 1 to 5 May 2000 in Geneva. Two important seminars had been organized in the framework of the preparations, the first in December 1999 on the topic "Human rights, refugees and multiethnic States", and the second from 16 to 18 February 2000 on remedies available to victims of acts of racism, racial discrimination and xenophobia. Four other seminars, of a regional nature, would be organized during 2000 in Africa, Latin America, Asia and no doubt eastern Europe, in cooperation with the regional economic commissions. They would aim to identify the problems specific to each region, in particular to study remedies.

5. The Committee, for its part, was making an important and valued contribution to the preparations for the Conference, both through the work of its members individually and at a general level through its contact group, to which a new member should be appointed to replace Mr. Garvalov.

6. Other treaty bodies had also prepared or would be preparing contributions for the World Conference. The Committee on Economic, Social and Cultural Rights had already submitted a preliminary document at its December session; the Committee on the Rights of the Child had decided at its January 2000 session to follow suit and the Human Rights Committee, currently meeting in New York, would also be discussing arrangements for its contribution. Finally, the Twelfth Meeting of Chairpersons of Treaty Bodies, to be held from 5 to 9 July 2000, would also discuss comprehensive and cooperative action by the treaty bodies in preparation for the World Conference.

7. With the resurgence of ethnic, racial and nationalistic antagonisms manifested in various forms of intolerance, xenophobia and, in the most extreme cases, ethnic conflict, ethnic cleansing and genocide, United Nations human rights mechanisms were compelled to reflect on preventive measures in situations which might degenerate into open conflict. The Committee played an essential role in that regard because of its early warning and urgent procedures mechanism. It was no doubt the body most capable of helping to broaden the process of reflection and transcend antagonisms, in order that the World Conference might provide hope that such insidious forms of racism would disappear in the third millennium.

8. In January 2000, the High Commissioner had launched her first annual appeal for voluntary contributions from the international community to strengthen the Office. A special reference had been made in the appeal to the need to increase the support given by the Office to the treaty monitoring bodies, which had an important role to play in defending human rights.

SOLEMN DECLARATION BY THE NEWLY ELECTED MEMBERS OF THE COMMITTEE UNDER RULE 14 OF THE RULES OF PROCEDURE (item 1 of the provisional agenda)

9. The TEMPORARY CHAIRMAN noted that Mr. Valencia Rodriguez, a re-elected member, and Mr. Marc Bossuyt, a newly elected member were absent.

10. In accordance with rule 14 of the rules of procedure, Mr. DIACONU, Mr. RECHETOV, Mr. YUTZIS and Ms. ZOU, re-elected members of the Committee, and Mr. FALL, Ms. JANUARY-BARDILL and Mr. PILLAI, newly elected members of the Committee, made the following solemn declaration:

> "I solemnly declare that I will perform my duties and exercise my powers as a member of the Committee on the Elimination of Racial Discrimination honourably, faithfully, impartially and conscientiously."

APPROVAL BY THE COMMITTEE OF THE EXPERT APPOINTED BY A STATE PARTY TO FILL A CASUAL VACANCY (item 2 of the provisional agenda)

11. The TEMPORARY CHAIRMAN said that, Mr. Wolfrum having resigned from the Committee, Mr. Brun-Otto Bryde had been appointed by Germany to succeed him. In accordance with rule 13 of the Committee's rules of procedure he submitted the name of Mr. Brun-Otto Bryde to the Committee for approval by secret ballot.

12. Mr. ABOUL-NASR proposed that, given the evident unanimity surrounding Mr. Brun-Otto Bryde's appointment, if no member formally objected, the Committee might dispense with a vote.

13. The TEMPORARY CHAIRMAN said that, if he heard no objection, he would take it that the appointment of Mr. Brun-Otto Bryde was approved by consensus.

14. It was so decided.

15. Mr. Brun-Otto Bryde took a place among the members of the Committee and made the solemn declaration under rule 14 of the rules of procedure.

ELECTION OF OFFICERS (item 3 of the provisional agenda)

Election of Chairman

16. The TEMPORARY CHAIRMAN invited the members of the Committee to nominate candidates for Chairman.

17. Mr. ABOUL-NASR nominated Mr. Sherifis, who, in addition to his lengthy experience as a member of the Committee, had also had a brilliant diplomatic career and possessed all the qualities required for the office.

18. Mr. Sherifis was elected Chairman by acclamation.

19. Mr. Sherifis took the Chair.

20. Mr. SHAHI proposed that the Committee should send each of its outgoing members a letter thanking them for their contribution to its work.

21. The CHAIRMAN endorsed Mr. Shahi's proposal and said that he would send a letter of thanks, on behalf of the Committee, to Ms. Sadiq Ali, Mr. van Boven, Mr. Ferrero Costa, Mr. Garvalov and Mr. Wolfrum. He thanked Mr. Gaham for his statement and said that he looked forward to frequent appearances by a representative of the High Commissioner for Human Rights at the Committee's meetings. He would also appreciate the High Commissioner attending a meeting at the current session to inform the Committee of her Office's activities and projects and to take part in an exchange of views. The Committee's contribution to the preparations for the World Conference, the importance of which had been stressed by Mr. Gaham, was one of the Committee's priorities. In that connection, he asked Mr. Aboul-Nasr to consult the Committee members informally and to submit to him proposals concerning the composition of the working group on preparations for the World Conference and the nomination of a replacement for Mr. Garvalov, who had chaired the working group. The proposals would then be adopted by the meeting.

22. Mr. RECHETOV, supported by Mr. de GOUTTES, suggested that the Committee should not confine itself to sending letters of thanks to its outgoing members, but should call on them in the future whenever it needed the help of outside experts in specific cases, should the budget so permit.

23. The CHAIRMAN said he took it that the members of the Committee approved Mr. Rechetov's and Mr. de Gouttes' proposal.

24. It was so decided.

Election of Vice-Chairmen

25. The CHAIRMAN invited the members of the Committee to nominate candidates for the three posts of Vice-Chairman of the Committee.

26. Mr. DIACONU nominated Mr. Rechetov.

27. Mr. YUTZIS nominated Mr. Valencia Rodriguez.

28. Mr. ABOUL-NASR nominated Mr. Fall.

29. Mr. Fall, Mr. Rechetov and Mr. Valencia Rodriguez were elected Vice-Chairmen by acclamation.

Election of Rapporteur

30. Mr. ABOUL-NASR, supported by Mr. SHAHI, nominated Mr. Banton for the post of Rapporteur of the Committee.

31. Mr. Banton was elected Rapporteur by acclamation.

The meeting was suspended at 11.40 a.m. and resumed at 12.15 p.m.

ADOPTION OF THE AGENDA (item 4 of the provisional agenda) (CERD/C/385)

32. The agenda was adopted.

ORGANIZATIONAL AND OTHER MATTERS (agenda item 5)

General debate

33. Mr. GAHAM (Office of the High Commissioner for Human Rights) said that the Office intended to make every effort to follow up and support the work of the Committee and that it would keep the Committee informed of the status of preparations for the World Conference against Racism, Racial Discrimination, Xenophobia and Related Intolerance. It also intended to involve the Committee closely in the celebration of the International Day for the Eliminiation of Racial Discrimination, 21 March 2000.

34. The CHAIRMAN urged the Office of the High Commissioner to treat the Committee on at least an equal footing with the other treaty bodies. He noted the fact that the Committee pre-dated the other bodies and the special importance of its role, especially in view of the preparations for the World Conference against Racism.

35. Mr. ABOUL-NASR inquired about the situation regarding the General Assembly's consideration of the Committee's request to hold one session each year at United Nations Headquarters in New York.

36. Mr. GAHAM (Office of the High Commissioner for Human Rights) said that the General Assembly was still studying the Committee's request. It was his understanding that the Assembly had decided to refer the matter to the appropriate bodies, which would submit recommendations to it in the light of the 2001 calendar of meetings for the period requested for the Committee's session and the financial implications involved. He was not certain that the General Assembly would respond favourably to the request, in view of the extra expenses it would entail.

37. The CHAIRMAN emphasized the importance of the matter raised by Mr. Aboul-Nasr and said that he would appreciate the Office of the High Commissioner rapidly providing the Committee with information for use in the discussions it would be holding on the matter during the second half of the current session.

38. Mr. YUTZIS said that Mr. José Gomez del Prado, former Secretary of the Committee, had been nominated as coordinator for the work of the World Conference. In that connection, he would appreciate the Office of the High Commissioner asking Mr. Gomez del Prado to ascertain the Committee's views and positions in order to take them into account for the World Conference.

39. Mr. GAHAM (Office of the High Commissioner for Human Rights) said that the Committee's request would be duly conveyed to Mr. Gomez del Prado, through the Support Services Branch of the Office of the High Commissioner.

Consideration of the draft programme of work of the Committee (CERD/C/56/Misc.4) (document distributed in the meeting room in English only)

40. The CHAIRMAN invited the members of the Committee to consider the draft programme of work of the Committee (CERD/C/56/Misc.4). Nepal had requested that consideration of its periodic report should be postponed to the following session of the Committee owing to difficulties of a practical nature. Similarly, Bangladesh and Viet Nam, which were to be the subject, at the current session, of the review of implementation of the Convention in States parties whose periodic reports were seriously overdue, had asked that the consideration of their countries' situation should be postponed to the fifty-seventh session so that

it could be based on a periodic report. The report of Bangladesh had recently been received by the Office of the High Commissioner, and Viet Nam had promised to submit its report in time for the following session.

41. Mr. YUTZIS stressed the need to consider the periodic reports of Nepal and Bangladesh as soon as possible, owing to the serious situation in those countries with regard to the implementation of the Convention.

42. The CHAIRMAN said he took it that the members of the Committee agreed to consider the periodic reports of Bangladesh, Nepal and Viet Nam at the following session.

43. It was so decided.

44. The CHAIRMAN said that the report of Slovenia had been received by the Committee secretariat that very day and that its consideration should accordingly be postponed to the Committee's following session if possible. If he heard no objection, he would take it that the Committee agreed.

45. It was so decided.

46. Mr. ABOUL-NASR, supported by the CHAIRMAN and Mr. YUTZIS, proposed that the Committee should hold a meeting to discuss issues not on the agenda relating to serious situations requiring it to take action.

47. The CHAIRMAN suggested that the general debate in question should be held on 10 March, in lieu of consideration of the report of Nepal, which had been postponed.

48. Mr. de GOUTTES proposed that the debate should be held under agenda item 6: Prevention of racial discrimination, including early warning measures and urgent action procedures. The Committee had introduced its preventive measures precisely for the purpose of dealing with crisis situations or situations of concern.

49. Mr. ABOUL-NASR said that it would be useful for the Committee to receive press releases or statements issued by the Office of the High Commissioner for Human Rights since the Committee's previous session. The documents would provide a basis for the Committee to use in analysing the various crisis situations and deciding whether or not to take action. He had no objection to the debate taking place under agenda item 6.

50. Mr. RECHETOV endorsed Mr. Aboul-Nasr's proposal; however, the Committee should not limit itself to the latest statements or press releases, but should receive all the documents issued in the previous 18 months.

51. Ms. RAADI (Team Leader, International Conventions Team, Support Services Branch, Office of the United Nations High Commissioner for Human Rights) said that her office would provide the Committee with all statements issued by the Office of the High Commissioner for Human Rights.

52. The CHAIRMAN suggested that crisis situations should be considered in the framework of agenda item 6 on preventive measures, on Friday, 10 March 2000.

53. It was so decided.

The meeting rose at 1.05 p.m.